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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

GREY, CHRISTOPHER P

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/045,320
Filing Date: November 09, 2001
Appellant(s): SHITAMA, KAZUHIRO

Shitama, Kazuhiro

For Appellant

MAILED
NOV 13 2005
GROUP 2600

EXAMINER'S ANSWER

This is in response to the appeal brief filed on June 26, 2006 appealing from the Office action mailed March 15, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Fan US Patent No. 6219706

Abadi US Patent No. 5315657

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan (US patent No. 6219706) in view of Abadi (US patent No. 5315657)

Claim 1, 7 Regarding claim 1, authentication means for authenticating the device on said global network is disclosed in column 4, lines 50-52 of Fan. Creating means for creating an access permission entry in response to an access request from the device authenticated by said authentication means, and adding said access permission entry to an access permission list is disclosed in column 3, lines 46-49. Control means which, upon receiving a data packet sent from the device on said global network, determines

whether or not said data packet should be transferred to said local access permission entry network based on information extracted from the header of said data packet and on the access permission entry contained in said access permission list is disclosed in column 3, lines 53-56.

Fan does not specifically disclose the authentication is done in response to a service access request message.

Abadi discloses in column 4, lines 61-67 a device that requests authentication on a network, and receives authentication (Col 13 lines 19-21) in response to the request (Col 4 lines 8-25 and Col 16 lines 35-56). It would have been obvious to one skilled in the art at the time of the invention to include authentication requests as disclosed by Abadi, within the access control system disclosed by Fan. The motivation would be to allow a user to initiate the process of seeking to authenticate themselves (see Abadi, column 4, lines 61-63).

Claim 2, 8 Fan discloses said access permission entry creating means extracts access information from an access request packet transmitted from the authenticated device, thereby creating an access permission entry containing a source IP address, a destination IP address, a source port number, a destination port number and a last access permission time is disclosed in column 3, lines 46-49; column 1, lines 43-46; and column 12, lines 14-17 (last permission time).

Claim 3, 9 Fan discloses said control means extracts a source IP address, a destination IP address, a source port number and a destination port number from the header of the data packet transmitted from the device on said global network, compares

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these extracted items of information with the information about the access permission entry contained in said access permission list and transfers said data packet to said local network if the two pieces of information correspond in all of the source IP address, destination IP address, source port number and destination port number is disclosed in column 1, lines 43-46, and column 3, lines 12-13 and 53-56.

Claim 4 Fan disclose said control means eliminates the access permission entry corresponding to a relevant access from said access permission list in accordance with an access termination notification from the device on said global network is disclosed in column 10, lines 13-22.

Claim 5 Fan discloses said control means calculates the length of time which elapsed from the last access based on a last access permission time stored in the access permission entry which corresponds to the time at which the data packet was received from the device on said global network, and eliminates the access permission entry from said access permission list when the elapsed time exceeds a predetermined reference time is disclosed in figure 7 and column 12, lines 10-25.

Claim 6 Fan discloses storage means for storing said access permission list is disclosed at column 3, lines 53-56.

(10) Response to Argument

The applicant argues that Abadi discloses a request for a resource occurring after the communication channel is already established. The applicant also argues that

the authentication request disclosed in Abadi does not include a request for service from the network as claimed by Examiner Davis in the Advisory Action.

(a) In response to the applicant's arguments that Abadi discloses a request for a resource occurring after the communication channel is already established, the examiner makes reference to Col 13 lines 15-24, wherein Abadi discloses that once a user is authenticated, that user has access to local files/resources (services). Therefore the authentication request disclosed by Abadi (Col 4 lines 61-67) is equivalent to a request for local resources (services) as disclosed in Col 13 lines 18-24, where authentication allows access to these resources.

(b) In response to the applicant's arguments that the authentication request disclosed in Abadi does not disclose a request for service from the network, the examiner makes reference to comments (a) above, wherein authentication allows for local services. Furthermore, the examiner contends that it is common knowledge within the art that the purpose for authentication is to receive services.

In Abadi, the user is authenticated before they can receive files (services or resources). To be authenticated, the user makes a request for resource access (Col 4, lines 7-11). It is clear that a service access request message is used in Abadi before the authentication and accessing files.

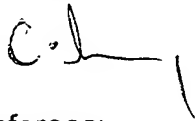
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Christopher Grey



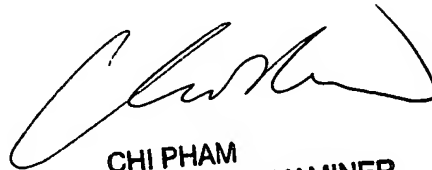
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